

Bill B.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

September 11, 2002

Mr. Fred Banach
Connecticut Department of Environmental Protection
Bureau of Water Management
790 Elm Street
Hartford, CT 06106

Dear Mr. Banach:

In the process of finalizing our review of Connecticut's November 2001 revisions to the State Surface Water Quality Standards we have identified several items that are important to address prior to issuing EPA approval. Several of the items relate to minor transcription or formatting errors that appear to be unintentional. Others are related to areas where modification to the text for purposes of improving clarity may actually have resulted in situations where the revised text could be interpreted as inconsistent with the federal Clean Water Act. Several instances were also identified where Connecticut was inconsistent in using the federal guidance as a basis for establishing numeric criteria for chemical pollutants. For your convenience in considering our review comments, specific items are listed below.

1. "Navigation," a use identified in the federal Clean Water Act for surface waters, appears to have been deleted in error from the list of designated uses assigned to Class AA, A and B waters, and should be reinstated for consistency with Connecticut's other use classes.
2. The references made to water quality standards applicable to chemical constituents appearing in the criteria tables for the different Classes of water should be made consistent.
3. A reference to Water Quality Standard #6 would be more appropriate at the end of the narrative description of Classes C, D, SC, and SD than the revision reference to Water Quality Standard #7.
4. The federal language: "Existing uses and the water quality necessary for their protection is to be maintained and protected" should be reinstated in Water Quality Standard #2 to insure interpretation consistent with federal law.
5. What appears to be a transcription error in the text of Water Quality Standard #10(A) should be corrected to indicate that "persistence" is a factor for consideration when establishing zones of influence.
6. The table of criteria for the Highly Eutrophic Lake Trophic Classification appears to have been inadvertently truncated. Please reinstate criteria for chlorophyll a and secchi disk transparency.

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7. We have identified several instances in Appendix D where the printed criteria values are inconsistent with the most recent federal guidance. Since it is our understanding that Connecticut only intended to modify the criteria in Appendix D to reflect updated federal guidance the following changes are proposed:

- The criteria for mercury should be modified to reflect a fish consumption rate of 18.7 g/day and a RfD of 0.0001 mg/Kg/d consistent with EPA's water quality criteria guidance.
- The freshwater aquatic life protection criteria for lead should be recalculated in accordance with federal guidance to represent the value obtained for a hardness of 50 mg/l consistent with numeric criteria for all other hardness dependent pollutants in Appendix D.
- The freshwater chronic criterion for dieldrin appears to have been transcribed in error and should be revised from 0.56 ug/l to 0.056 ug/l.
- The human health criteria for thallium appears to have been changed in error and should be revised to reflect the most recent federal guidance of 6.3 ug/l for consumption of organisms only and 1.7 ug/l for consumption of organisms and water.

8. The definition of "point source" appearing in Appendix A should be revised to insure that the definition is consistent with the federal definition in the Clean Water Act and NPDES regulations.

9. The definition of "surface water" appearing in Appendix A should be modified to clarify that wetlands under federal jurisdiction are included.

10. The revision (insertion of the phrase "where authorized") to the designated use statements concerning the shellfishing use in Class SA and SB waters could be inappropriately interpreted to indicate that these uses are only designated in areas where the Department of Agriculture, Aquaculture Division has authorized this activity.

Upon the satisfactory resolution of the items identified above, I anticipate that approval of Connecticut's 2001 revisions to the Water Quality Standards can proceed. It will be important for us to review a copy of the Water Quality Standards and Statement of Reasons that incorporates any changes made to address our comments.

Please feel free to contact me or Bill Beckwith (617) 918-1544 with any questions. We look forward to completing this process and continued work with the Department of Environmental Protection on its surface water quality standards. Thank you very much.

Sincerely,


Lynne A. Hamjian, Manager
Connecticut State Program Unit

cc: Lee Dunbar, CT DEP